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Dated: May 10, 2005

Signature: 

(Rhea Amid)

Patent
Docket No. 532212000623

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Thomas L. CANTOR

Serial No.: 10/617,489

Filing Date: July 10, 2003

For: METHODS, KITS AND ANTIBODIES
FOR DETECTING PARATHYROID
HORMONE



Examiner: C. Cheu

Group Art Unit: 1641

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicant submits for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

Document numbers 54-60 are from an opposition proceeding against EP Patent No. 0 783 522. Document numbers 61-65 are from an invalidation proceeding against JP Patent No. 3457004. Document numbers 66 and 67 are from a reexamination proceeding of United States Patent No. 6,030,790.

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Document numbers 68-203, and 224-225, are from a pending civil action for patent infringement: *Nichols Institute Diagnostics, Inc. v. Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.*, in the United States District Court for the Southern District of California, Case No. 02 CV 0046 B (LAB).

Document numbers 204-223 are from another pending civil action for patent infringement: *Scantibodies Laboratory, Inc. v. Immunotopics, Inc.*, in the United States District Court for the Central District of California, Case No. CV04-8871 GPS (MANx).

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☒ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Pursuant to MPEP § 2004.13, Applicant points out that Nichols Institute Diagnostics Inc. (Nichols) has sued the assignee of the present application, Scantibodies Laboratory, Inc. (Scantibodies) for alleged infringement of U.S. Patent No. 6,030,790 ('790 patent). The '790 patent was submitted and considered by the Examiner in the prosecution of the parent patents of the present application, U.S. Patent No. 6,689,566 B1 (the '566 patent) and U.S. Patent No. 6,743,590 B1 ('590 patent). The '790 patent was also submitted in the February 25, 2004 IDS (Reference No. 11) and considered by the Examiner in connection with the present application (See the January 24, 2005 Office Action). Applicant wishes to bring the Examiner's attention to the following:

- Scantibodies has requested reexamination of the '790 patent (Document No. 66 in the present Form PTO/SB/08a/b) based on the Magerlein et al., *European Journal of Pharmaceutical Sciences* Vol. 2 pt. 1/2 at 154 (Elsevier Science B.V., September 1994) ("Magerlein Abstract"); Forssmann, et al., U.S. Patent No. 5,744,444 ("Forssmann Patent"), and Harlow and Lane, *Antibodies: A Laboratory Manual*, Cold Spring (1988) (Harlow Book) at pages 313-315. The U.S. PTO ordered the reexamination of the '790 patent (Document No. 67 in the present Form PTO/SB/08a/b). The Magerlein Abstract, Forssmann Patent and Harlow Book at pages 313-315 are listed as Document Nos. 35, 5, and 29, respectively, in the present Form PTO/SB/08a/b. The two other references related to the Magerlein Abstract, Mägerlein et al., *Arzneim.-Forsch./Drug Res.* (1998) 48(1):197-204 and Mägerlein et al., *Arzneim.-Forsch./Drug Res.* (1998) 48(II):783-787, were submitted and considered by the Examiner in the prosecution of the parent patents of the present application, the '566 and '590 patents. These two references were also submitted in the February 25, 2004 IDS (Reference Nos. 45 and 46) and considered by the Examiner in connection with the present application (See the January 24, 2005 Office Action).
- Scantibodies initiated an invalidation proceeding against JP Patent No. 3457004, the Japanese counterpart of the '790 patent. Document Nos. 61-65 in the present

Form PTO/SB/08a/b are papers from the invalidation proceeding. The Japanese Patent Office invalidated claims 1 and 3-6 of JP Patent No. 3457004 (*See* Document No. 65 in the present Form PTO/SB/08a/b). It is the applicant's understanding that the patentee of JP Patent No. 3457004 has one additional opportunity to respond to the decision of the Japanese Patent Office before the Japanese Patent Office makes its decision final, if the Japanese Patent Office so decides.

- Scantibodies initiated an opposition proceeding against EP Patent No. 0 783 522, the European counterpart of the '790 patent. Document Nos. 54-60 in the present Form PTO/SB/08a/b are papers from the opposition proceeding.
- Document numbers 68-203 are from a pending civil action for patent infringement based on the '790 patent: *Nichols v. Scantibodies*. Applicant wishes to bring the Examiner's attention to the following papers from this proceeding:
 - Order Construing Patent Claims and Terms for Jury Trial, filed March 10, 2003 (Document No. 123 in the present Form PTO/SB/08a/b);
 - Order Granting Motion for Reconsideration and Confirming Original Order Construing Patent Claims Filed March 10, 2003, filed April 29, 2003 (Document No. 133 in the present Form PTO/SB/08a/b);
 - Order Denying Defendants' Motion for Summary Judgment and Granting Summary Adjudication, filed June 2, 2003 (Document No. 153 in the present Form PTO/SB/08a/b);
 - Notice of Decisions on Plaintiff's and Defendants' Cross Motions for Summary Judgment Regarding United States Patent No. 6,030,790 and Defendants' Motion to Stay the Trial and Defendant's Motion to Sequence Evidence of Liability and Damages at Trial, filed March 30, 2005 (Document No. 186 in the present Form PTO/SB/08a/b);

- Memorandum of Points and Authorities in Support of Nichols Institute Diagnostics, Inc.'s Motion for Summary Judgment that the '790 Patent Claims are Valid and Infringed, filed February 28, 2005 (Document No. 180 in the present Form PTO/SB/08a/b), in which prosecution of the '566 patent is discussed;
- Declaration of Joseph O. Falkinham III, Ph.D., in Support of Nichols Institute Diagnostics, Inc.'s Motion for Summary Judgment that the '790 Patent Claims are Valid and Infringed, filed February 28, 2005 (Document No. 183 in the present Form PTO/SB/08a/b), in which prosecution of the '566 patent is discussed;
- Rebuttal Expert Report of Gerald Bjorge, executed on December 20, 2004 (Document No. 201 in the present Form PTO/SB/08a/b), in which prosecution of the '566 patent is discussed;
- Rebuttal Expert Report of Claude Arnaud, executed on December 20, 2004 (Document No. 200 in the present Form PTO/SB/08a/b), in which prosecution of the '566 patent is discussed;
- Order Denying Defendants' Motion for Summary Judgment of Invalidity of United States Patent No. 6,030,790 and Granting Summary Adjudication That the Patent is Not Anticipated or Rendered Obvious By Certain Prior Art References, filed May 3, 2005 (Document No. 224 in the present Form PTO/SB/08a/b); and
- Order Denying Defendants' Motion for Summary Judgment of Noninfringement and Denying Plaintiff's Motion for Summary Judgment of Infringement of United States Patent No. 6,030,790, filed May 3, 2005 (Document No. 225 in the present Form PTO/SB/08a/b).

- Document numbers 204 to 223 are from a pending civil action for patent infringement based on the '566 patent: *Scantibodies v. Immunotopics*. Applicant wishes to bring the Examiner's attention to the following papers from this proceeding:
 - Defendants' Answer to Plaintiff's Complaint and Counterclaims, filed December 3, 2004 (Document No. 208 in the present Form PTO/SB/08a/b), in which unenforceability of the '566 patent is alleged;
 - Defendants' First Amended Answer to Plaintiff's Complaint and Counterclaims, filed December 21, 2004 (Document No. 210 in the present Form PTO/SB/08a/b), in which unenforceability of the '566 patent is alleged;
 - Defendants' Second Amended Answer to Plaintiff's Complaint and Counterclaims, filed December 31, 2004 (Document No. 211 in the present Form PTO/SB/08a/b), in which unenforceability of the '566 patent is alleged; and
 - Plaintiff's Reply to Defendants' Counterclaims, filed January 27, 2005 (Document No. 212 in the present Form PTO/SB/08a/b), in which the alleged unenforceability of the '566 patent is denied.
- References identified by *Immunotopics* in its Supplemental Initial Disclosures:
 - Kohno et al., J. Clin., Lab. Anal. (1998) 12:268-275 (Document No. 34 in the present Form PTO/SB/08a/b);
 - Logue et al., Journal of Immunological Methods (1991) 137:159-166 (Document No. 44 in the 1449 Form submitted with the February 25, 2004 IDS);

- John et al., Journal of Clinical Endocrinology and Metabolism (1999) 84(11):4287-4290 (Document No. 42 in the 1449 Form submitted with the February 25, 2004 IDS);
- Gao et al., J Bone Miner Res. 2001 Apr; 16(4):605-14 (Document No. 25 in the present Form PTO/SB/08a/b); and
- Why Nichols is our PTH Vendor, submitted in Defendant's Supplemental Initial Disclosures (Document No. 217 in the present Form PTO/SB/08a/b).

Applicant would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petition and/or other

fees due in connection with the filing of this document to **Deposit Account No. 03-1952**
referencing 532212000623.

Dated: May 9, 2005

Respectfully submitted,

By 

Peng Chen

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Suite 500
San Diego, California 92130-2332
(858) 720-5117



ALTERNATIVE TO PTO/SB/08a/b (06-03)

Substitute for form 1449/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Application Number	10/617,489	
			Filing Date	July 10, 2003	
			First Named Inventor	Thomas L. CANTOR	
			Art Unit	1641	
			Examiner Name	C. Cheu	
Sheet	1	of	10	Attorney Docket Number	532212000623

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	4,751,284	06-14-1988	Forssmann	
	2.	4,782,044	11-01-1988	Forssmann	
	3.	4,895,932	01-23-1990	Forssmann	
	4.	5,354,900	10-11-1994	Matsuo et al.	
	5.	5,744,444	04-28-1998	Forssmann	
	6.	6,838,264	01-04-2005	Zahradnik et al.	
	7.	US-2002/0110871-A1	08-15-2002	Zahradnik et al.	
	8.	US-2004/0185536-A1	09-23-2004	Thomas Cantor	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			
	9.	DE-10236631	07-17-2003	Thomas Cantor		
	10.	WO-00/42437	07-20-2000	Thomas Cantor		
	11.	WO-03/039572	05-15-2003	Thomas Cantor		
	12.	WO-04/011607	02-05-2004	Thomas Cantor		
	13.	WO-04/028444	04-08-2004	Thomas Cantor		
	14.	WO-04/031727	04-15-2004	Thomas Cantor		
	15.	WO-05/018413	03-03-2005	Thomas Cantor		

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	16.	Allegro Intact PTH, directional insert for PTH kit by Nichols Institute		
	17.	CANTOR, Kidney Int. (2004) 66:461		
	18.	COEN et al., J. Lab. Clin. Med. (1993) 122:103-109		
	19.	D'AMOUR et al., Clin. Chem. (2003) 49:2037-2044		
	20.	D'AMOUR et al., Clin. Chem. (2005) 51:169-176		
	21.	ESTEPA et al., Equine Vet J. (2003) 35:291-295		
	22.	ESTEPA et al., Nephrol. Dial. Transplant (2003) 18:1101-1107		
	23.	FINE and ZACHARIAS, Kidney Int. (2002) 61:2210-2217		
	24.	FOURNIER et al., Nephrol. Dial. Transplant. (1999) 14:2772-2774		
	25.	GAO et al., J. Bone Mineral Res. (2001) 16:605-614		
	26.	GAO et al., "Recognition of the PTH(7-84) Fragment by 5 Commercial PTH 'Sandwich' Assays" presented at the ASBMR 22 nd Annual Meeting, September 22-26, 2000, Toronto,		

Examiner Signature		Date Considered	
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sd-253297

Substitute for form 1449/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>			Application Number	10/617,489	
			Filing Date	July 10, 2003	
			First Named Inventor	Thomas L. CANTOR	
			Art Unit	1641	
			Examiner Name	C. Cheu	
Sheet	2	of	10	Attorney Docket Number	532212000623

	Canada	
27.	GOLTZMAN et al., J. Clin. Invest. (1980) 65:1309-1317	
28.	GOODMAN et al., Nephrol. Dial. Transplant. (2002) 17:1731-1736	
29.	HARLOW and LANE, Antibodies: A Laboratory Manual, Cold Spring (1988) pp. 313-315	
30.	KAZAMA et al., Nephrol. Dial. Transplant. (2004) 19:892-897	
31.	KIFOR et al., J. Clin. Endocrinology Metab. (2003) 88:60-72	
32.	KIFOR et al., J. Clin. Endocrinology Metab. (2003) 88:4455-4464	
33.	KIFOR et al., J. Clin. Endocrinology Metab. (2004) 89:548-556	
34.	KOHNO et al., J. Clin. Lab. Anal. (1998) 12:268-275	
35.	MAGERLEIN et al., European Journal of Pharmaceutical Sciences (1994) Vol. 2 pt. ½ at 154	
36.	MARX et al., Journal of Biological Chemistry (1995) 270:15194-15202	
37.	MARX, Medical Progress (2000) 343:1863-1875	
38.	MONIER-FAUGERE et al., Kidney Int. (2001) 60:1460-1468	
39.	Nichols Advantage Bio-Intact PTH (1-84), Directional Insert for the test kit	
40.	NGUYEN-YAMAMOTO et al., Eur. J. Endocrinol. (2002) 147:123-131	
41.	SALOMON et al., Pediatr. Nephrol. (2001) 16:1011-1014	
42.	SANCHEZ and SALUSKY, Adv. Ren. Replace. Ther. (1996) 3:14-23 (Abstract only)	
43.	SANTAMARIA et al., Kidney Int. (2003) 64:1867-1873	
44.	SILVERBERG et al., J. Clin. Endocrinology Metab. (2003) 88:4725-4730	
45.	SLATOPOLSKY et al., Kidney Int. (2000) 58:753-761	
46.	SOUBERBIELE et al., J. Clin. Endocrinology Metab. (2001) 86:3086-3090	
47.	UDDIN et al., Clinical Chemistry (1999) 45:A97 (340)	
48.	WALLER et al., "What is the parathyroid hormone level?" pamphlet	
49.	WALLER et al., Pediatr. Nephrol. (2003) 18:1242-1248	
50.	WALLER et al., Pediatr. Nephrol. (2005) 20:197-199	
51.	YAMASHITA et al., Ann. Surg. (2002) 236:105-111	
52.	YAMASHITA et al., Eur. J. Endocrinol. (2003) 149:301-306	
53.	YAMASHITA et al., Surgery (2004) 135:149-156	
54.	Opposition Documents against EP Patent No. 0 783 522, dated September 4, 2002	
55.	Opposition Documents against EP Patent No. 0 783 522, dated September 5, 2002	
56.	Opposition Documents against EP Patent No. 0 783 522, dated December 10, 2003	
57.	Official communication issued by the EPO on July 8, 2004 in the opposition against EP Patent No. 0 783 522	
58.	English translation of the official communication issued by the EPO on July 8, 2004 in the opposition against EP Patent No. 0 783 522	
59.	Summons to Oral Proceedings - Patent No. 95934629.7-2405/0783522 - Ref. G1263 EP/OPP OPPO.01, mailed March 18, 2005	
60.	Certified English translation of Summons to Oral Proceedings - Patent No. 95934629.7-2405/0783522 - Ref. G1263 EP/OPP OPPO.01, mailed March 18, 2005	
61.	Opposition Documents against JP Patent No. 3457004, Opposition No. 2003-73801, dated December 29, 2003	
62.	Opposition Documents against JP Patent No. 3457004, Opposition No. 2003-73801, dated April 13, 2004	
63.	Notification of Reasons for Revocation, dated July 9, 2004	
64.	Notification of Invalid Judgment of Patent 3457004 by Japanese Patent Office, March 2005	
65.	English translation of Notification of Invalid Judgment of Patent 3457004 by Japanese Patent Office, March 2005	

Examiner Signature		Date Considered	
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			Filing Date	July 10, 2003	
			First Named Inventor	Thomas L. CANTOR	
			Art Unit	1641	
			Examiner Name	C. Cheu	
Sheet	3	of	10	Attorney Docket Number	532212000623

66.	Request for Reexamination Under 37 C.F.R. § 1.510 for US Patent No. 6,030,790, filed February 4, 2005	
67.	Ex Parte Reexamination Communication Transmittal Form for US Patent No. 6,030,790, and Order Granting Reexamination, mailed March 30, 2005	
68.	Complaint for Patent Infringement, Nichols Institute Diagnostics, Inc. v. Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc., filed January 8, 2002 in the United States District Court for the Southern District of California, Case No. 02 CV 0046 B (LAB)	
69.	Answer and Counterclaims of Defendants Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc., filed May 9, 2002	
70.	Notice of Motion and Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(f) for Nonjoinder of Co-Inventor, filed on May 16, 2002	
71.	Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.'s Memorandum of Points and Authorities in Support of Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(f) for NonJoinder of Co-Inventor, filed May 16, 2002	
72.	Declaration of M. Andrew Woodmansee in Support of Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory Inc.'s Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(f) for NonJoinder of Co-Inventor, filed May 16, 2002	
73.	Plaintiff/Counterdefendant Nichols Institute Diagnostics, Inc.'s Reply to Defendants' Counterclaims, filed May 29, 2002	
74.	Defendant Scantibodies Clinical Laboratory's Initial Disclosure, filed July 16, 2002 in 02 CV 0046 B (LAB)	
75.	Nichols Institute Diagnostics, Inc.'s Initial Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1), filed on July 16, 2002 in 02 CV 0046 B (LAB)	
76.	Plaintiff's Memorandum of Points and Authorities in Support of Opposition to Defendants' Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(f) for NonJoinder of Co-Inventor, filed July 22, 2002	
77.	Declaration of Vicki G. Norton in Support of Plaintiff's Opposition to Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(f) for NonJoinder of Co-Inventor, filed July 22, 2002	
78.	Declaration of James T. Carmichael in Support of Plaintiff's Opposition to Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(f) for NonJoinder of Co-Inventor, filed July 22, 2002	
79.	Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.'s Reply in Support of Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(f) for NonJoinder of Co-Inventor, filed July 29, 2002	
80.	Declaration of David C. Doyle in Support of Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory Inc.'s Reply in Support of Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(f) for NonJoinder of Co-Inventor, filed July 29, 2002	
81.	Plaintiff's Sur-Reply in Opposition to Defendants' Reply to Plaintiff's Opposition to Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(f) for NonJoinder of Co-Inventor, filed August 16, 2002	
82.	Declaration of Vicki G. Norton in Support of Plaintiff's Sur-Reply in Opposition to Defendants' Reply to Opposition to Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(f) for NonJoinder of Co-Inventor, filed August 16, 2002	
83.	Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.'s Response to Plaintiff's Sur-Reply, filed August 20, 2002	
84.	Declaration of David C. Doyle in Support of Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory Inc.'s Response to Plaintiff's Sur-Reply, filed August 20, 2002	
85.	Order Denying as Moot Defendants' Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(f) for NonJoinder of Co-Inventor, Denying Request for Stay, and Ordering Plaintiff to File	

Examiner Signature		Date Considered	
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			First Named Inventor	Thomas L. CANTOR	
			Art Unit	1641	
			Examiner Name	C. Cheu	
Sheet	4	of	10	Attorney Docket Number	532212000623

		Amended Complaint, issued September 6, 2002	
86.		Amended Complaint for Patent Infringement, Case No. 02-CV-0046 B (LAB), filed September 20, 2002	
87.		Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.'s Notice of Appeal, filed October 4, 2002	
88.		Notice of Document Discrepancies rejecting the original Answer and Counterclaims filed by Scantibodies on May 9, 2002, notice dated October 15, 2002	
89.		Answer and Counterclaims of Defendants Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory Inc. to Nichols' Amended Complaint for Patent Infringement, filed October 17, 2002	
90.		Plaintiff/Counterdefendant Nichols Institute Diagnostics, Inc.'s Reply to Defendants' Counterclaims, filed November 4, 2002	
91.		Plaintiffs' Brief on Claim Construction for the '790 Patent, filed November 12, 2002	
92.		Declaration of Vicki G. Norton in Support of Plaintiffs' Brief on Claim Construction for the '790 Patent, filed November 12, 2002	
93.		Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.'s Claim Construction Brief for U.S. Patent No. 6,030,790, filed November 12, 2002	
94.		Declaration of M. Andrew Woodmansee in Support of Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory Inc.'s Claim Construction Brief for U.S. Patent No. 6,030,790, filed November 12, 2002	
95.		Declaration of Dr. Richard A. Lerner in Support of Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory Inc.'s Claim Construction Brief for U.S. Patent No. 6,030,790, filed November 12, 2002	
96.		Declaration of Thomas G. Wiseman in Support of Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory Inc.'s Claim Construction Brief for U.S. Patent No. 6,030,790, filed November 12, 2002	
97.		Nichols Institute Diagnostics, Inc.'s Supplemental Brief in Support of Motion for Judgment on the Pleadings, filed December 2, 2002	
98.		Reply of Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc. in Support of Motion for Reconsideration of Dismissal for Want of Jurisdiction, filed December 3, 2002	
99.		Notice of Document Discrepancies, filed December 5, 2002	
100.		Report and Recommendation, filed December 31, 2002 in United States District Court for the Southern District of Florida, Miami Division	
101.		ESRD'S Verified Motion to Tax Costs as Prevailing Party, filed January 3, 2003 in United States District Court for the Southern District of Florida, Miami Division	
102.		Plaintiff's Supplemental Brief on Claim Construction for the '790 Patent, filed January 8, 2003	
103.		Declaration of Vicki G. Norton in Support of Plaintiff's Supplemental Brief on Claim Construction for the '790 Patent, filed January 8, 2003	
104.		Declaration of Joseph O. Falkinham III, Ph.D. in Support of Plaintiffs' Supplemental Brief on Claim Construction for the '790 Patent, filed January 8, 2003	
105.		[Proposed] Order Granting Nichols Institute Diagnostics Inc.'s Ex Parte Application for Order Allowing Exhibit 9 to Plaintiff's Supplemental Brief on Claim Construction for the '790 Patent to be Filed Under Seal, filed January 8, 2003	
106.		Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory Inc.'s Supplemental Brief in Advance of Claim Construction Hearing on U.S. Patent No. 6,030,790, filed January 8, 2003	
107.		Declaration of M. Andrew Woodmansee in Support of Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.'s Supplemental Claim Construction Brief for U.S. Patent No.	

Examiner Signature		Date Considered	
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Substitute for form 1449/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Application Number	10/617,489	
			Filing Date	July 10, 2003	
			First Named Inventor	Thomas L. CANTOR	
			Art Unit	1641	
			Examiner Name	C. Cheu	
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	6,030,790, filed January 8, 2003	
108.	Parties Joint Claim Construction Chart, filed January 8, 2003	
109.	Notice of Document Discrepancies, filed January 10, 2003	
110.	Scantibodies Clinical Laboratory Inc. and Scantibodies Laboratory Inc.'s Brief in Advance of January 30, 2003 Hearing on the Terms "Suitable Carrier" and "Peptide" for U.S. Patent No. 6,030,790, filed January 22, 2003	
111.	Declaration of M. Andrew Woodmansee in Support of Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.'s Brief in Advance of January 30, 2003 Hearing on the Terms "Suitable Carrier" and "Peptide" for the U.S. Patent No. 6,030,790, filed January 22, 2003	
112.	Plaintiff Nichols Institute Diagnostics, Inc.'s Second Supplemental Claim Construction Brief, filed January 22, 2003	
113.	Declaration of Vicki G. Norton in Support of Plaintiff's Second Supplemental Brief on Claim Construction for the '790 Patent, filed January 22, 2003	
114.	Declaration of Dr. Leonard J. Deftos in Support of Plaintiff Nichols Institute Diagnostics, Inc.'s Second Supplemental Claim Construction Brief, filed January 22, 2003	
115.	Notice of Motion and Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b), filed February 25, 2003	
116.	Memorandum of Points and Authorities in Support of Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b) by Defendants Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc., filed February 25, 2003	
117.	Statement of Undisputed Material Facts in Support of Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b) by Defendants Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc., filed February 25, 2003	
118.	Declaration of Richard A. Lerner, M.D., in Support of Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b) by Defendants Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc., filed February 25, 2003	
119.	Declaration of J. Stuart Woodhead, Ph.D., in Support of Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b) by Defendants Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc., filed February 25, 2003	
120.	Declaration of Andrew William Smith in Support of Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b) by Defendants Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc., filed February 25, 2003	
121.	Declaration of Kimberly L. Briggs in Support of Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b) by Defendants Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc., filed February 25, 2003	
122.	Declaration of Hans H. Linden in Support of Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b) by Defendants Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc., filed February 25, 2003	
123.	Order Construing Patent Claims and Terms for Jury Trial, filed March 10, 2003	
124.	Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.'s Notice of Motion and Motion for Reconsideration of Court's March 10, 2003 Order Construing Patent Claims and Terms for Jury Trial, filed March 24, 2003	
125.	Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.'s Motion for Reconsideration of Court's March 10, 2003 Order Construing Patent Claims and Terms for Jury Trial, filed March 24, 2003	
126.	Declaration of M. Andrew Woodmansee in Support of Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.'s Motion for Reconsideration of Court's March 10, 2003	

Examiner Signature		Date Considered	
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Substitute for form 1449/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Application Number	10/617,489	
			Filing Date	July 10, 2003	
			First Named Inventor	Thomas L. CANTOR	
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			Examiner Name	C. Cheu	
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		Order Construing Patent Claims and Terms for Jury Trial, filed March 24, 2003	
127.		Re-Notice of Motion and Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b), or in the Alternative, 35 U.S.C. § 103(a), filed April 2, 2003	
128.		Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.'s Supplemental Memorandum of Points and Authorities in Support of Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b), or in the Alternative, 35 U.S.C. § 102(a), filed April 2, 2003	
129.		Nichols Institute Diagnostics, Inc. Opposition to Defendants' Motion for Reconsideration of the Court's March 10, 2003 Order Construing Patent Claims and Terms for Jury Trial, filed April 8, 2003	
130.		Declaration of Julia A. Miller in Support of Nichols Institute Diagnostics, Inc. Opposition to Defendants' Motion for Reconsideration of the Court's March 10, 2003 Order Construing Patent Claims and Terms for Jury Trial, filed April 8, 2003	
131.		Declaration of Dr. Leonard J. Deftos in Support of Nichols Institute Diagnostics, Inc. Opposition to Defendants' Motion for Reconsideration of Court's March 10, 2003 Order Construing Patent Claims and Terms for Jury Trial, filed April 8, 2003	
132.		Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.'s Reply to Opposition to Motion for Reconsideration of Court's March 10, 2003 Order Construing Patent Claims and Terms for Jury Trial, filed April 14, 2003	
133.		Order Granting Motion for Reconsideration and Confirming Original Order Construing Patent Claims Filed March 10, 2003, filed April 29, 2003	
134.		Nichols Institute Diagnostics, Inc.'s Opposition to Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b) or in the Alternative 35 U.S.C. § 103(a) by Defendants Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc., filed May 7, 2003	
135.		Declaration of Julia A. Miller in Support of Nichols Institute Diagnostics, Inc.'s Opposition to Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b) or in the Alternative 35 U.S.C. § 103(a) by Defendants Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc., filed May 7, 2003	
136.		Declaration of Leonard J. Deftos in Support of Nichols Institute Diagnostics' Opposition to Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b), or in the Alternative, 35 U.S.C. § 103(a), filed May 7, 2003	
137.		Declaration of Douglas E. Olson in Support of Nichols' Application Under Federal Rule of Civil Procedure 56(f), filed May 7, 2003	
138.		Declaration of Peter R. Munson in Support of Nichols Institute Diagnostics, Inc.'s Opposition to Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b) or in the Alternative 35 U.S.C. § 103(a) by Defendants Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc., filed May 8, 2003	
139.		Nichols Institute Diagnostics, Inc.'s Response to Defendants' Statement of Undisputed Material Facts in Support of Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b) or Alternatively Under 35 U.S.C. § 103(a), filed May 8, 2003	
140.		Nichols Institute Diagnostics, Inc.'s Notice of Motion and Motion to Strike the Briggs, Linden, and Smith Declarations Submitted by Defendants in Support of Motion for Summary Judgment, filed May 8, 2003	
141.		Nichols Institute Diagnostics, Inc.'s Memorandum in Support of Motion to Strike the Briggs, Linden, and Smith Declarations Submitted by Defendants in Support of Motion for Summary Judgment, filed May 8, 2003	
142.		Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.'s Reply in Support of Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b), or in the Alternative, 35 U.S.C. § 102(a), filed May 14, 2003	

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			First Named Inventor	Thomas L. CANTOR	
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143.	Reply Declaration of M. Andrew Woodmansee in Support of Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b), or in the Alternative 35 U.S.C. § 103(a), filed May 14, 2003	
144.	Declaration of Paul Ayris in Support of Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b) by Defendants Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc., filed May 14, 2003	
145.	Declaration of Marianne Kranenborg in Support of Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b) by Defendants Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc., filed May 14, 2003	
146.	Declaration of Roderick Morrison in Support of Motion for Summary Judgment Pursuant to 35 U.S.C. § 102(b) by Defendants Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory Inc, filed May 14, 2003	
147.	Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc.'s Opposition to Nichols' Motion to Strike Affidavits of Briggs, Linden, and Smith, filed May 14, 2003	
148.	Scantibodies Clinical Laboratory, Inc.'s and Scantibodies Laboratory, Inc.'s Evidentiary Objections to Declaration of Julia Miller, filed May 14, 2003	
149.	Nichols Institute Diagnostics, Inc.'s Notice of Motion and Motion to Strike the Kranenborg Declaration Submitted by Defendants in Support of Reply to Nichols' Opposition to Motion for Summary Judgment, filed May 16, 2003	
150.	Nichols Institute Diagnostics, Inc.'s Memorandum in Support of Motion to Strike the Kranenborg Declaration Submitted by Defendants in Support of their Reply to Nichols' Opposition to Motion for Summary Judgment, filed May 16, 2003	
151.	Nichols Institute Diagnostics, Inc.'s Errata Sheet Regarding Responses to Scantibodies' Undisputed Fact Nos. 6 and 41, filed May 20, 2003	
152.	Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory Inc.'s Objections to Nichols Institute Diagnostics, Inc.'s Errata Sheet Regarding Responses to Scantibodies' Undisputed Fact Nos. 6 and 41, filed May 21, 2003	
153.	Order Denying Defendants' Motion for Summary Judgment and Granting Summary Adjudication, filed June 2, 2003	
154.	Scantibodies' Notice of Motion and Motion for Judgment on the Pleadings for Lack of Standing and Failure to Join an Indispensable Party or, in the Alternative, to Join a Necessary Party Pursuant to FRCP 19, filed July 16, 2003	
155.	Memorandum of Points and Authorities in Support of Scantibodies' Motion for Judgment on the Pleadings for Lack of Standing and Failure to Join an Indispensable Party or, in the Alternative, to Join a Necessary Party Pursuant to FRCP 19, filed July 16, 2003	
156.	Nichols Institute Diagnostics, Inc.'s Opposition to Scantibodies' Motion for Judgment on the Pleadings for Lack of Standing and Failure to Join an Indispensable Party or, in the Alternative, to Join a Necessary Party Pursuant to FRCP 19, filed September 18, 2003	
157.	Declaration of K. Ramakrishnan, filed September 18, 2003	
158.	Declaration of Randall Ringold, filed September 18, 2003	
159.	Declaration of Dr. Michael Harder, filed September 18, 2003	
160.	Reply in Support of Scantibodies' Motion for Judgment on the Pleadings for Lack of Standing and Failure to Join an Indispensable Party or, in the Alternative, to Join a Necessary Party Pursuant to FRCP 19, filed September 24, 2003	
161.	Declaration of Thomas Cantor in Support of Scantibodies' Motion for Judgment on the Pleadings for Lack of Standing and Failure to Join an Indispensable Party or, in the Alternative, to Join a Necessary Party Pursuant to FRCP 19, filed September 24, 2003	
162.	Nichols Institute Disgnostics, Inc.'s Notice of Motion and Motion to Permit Service of its Supplemental Amended Complaint Under F.R.C.P. 15(d), filed November 24, 2003	

Examiner Signature		Date Considered	
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			Filing Date	July 10, 2003	
			First Named Inventor	Thomas L. CANTOR	
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163.	Memorandum of Points and Authorities in Support of Nichols Institute Diagnostics, Inc.'s Motion to Permit Service of its Supplemental Amended Complaint Under F.R.C.P. 15(d), filed November 24, 2003	
164.	Order Granting Defendants' Motion on the Pleadings and Dismissing Case with Leave to Amend, filed December 1, 2003	
165.	Nichols Institute Diagnostics, Inc.'s Notice of Motion and Motion for Leave to File Amended Complaint, filed January 26, 2004	
166.	Nichols Institute Diagnostics, Inc.'s Memorandum of Points and Authorities in Support of its Motion for Leave to File Amended Complaint, filed January 26, 2004	
167.	Nichols Institute Diagnostics, Inc.'s Notice of Application and Ex Parte Application for Order Sealing Exhibit 2 to its Second Amended Complaint, Exhibit A to the Declaration of Julia A. Miller in Support of Nichols Institute Diagnostics, Inc.'s Motion for Leave to File Amended Complaint, filed January 26, 2004	
168.	Declaration of Julia A. Miller in Support of Nichols' Ex Parte Application for Order Sealing Exhibit 2 to its Second Amended Complaint, Exhibit A to the Declaration of Julia A. Miller in Support of Nichols Institute Diagnostics, Inc.'s Motion for Leave to File Amended Complaint, filed January 26, 2004	
169.	Scantibodies' Notice of Motion and Motion for Judgment on the Pleadings for Lack of Standing and for Attorneys' Fees, filed January 26, 2004	
170.	Memorandum of Points and Authorities in Support of Scantibodies' Motion for Judgment on the Pleadings for Lack of Standing and for Attorneys' Fees, filed January 26, 2004	
171.	Scantibodies Laboratory, Inc., and Scantibodies Clinical Laboratory, Inc.'s Opposition to Nichols Institute Diagnostics, Inc.'s Motion to Amend Complaint, filed February 9, 2004	
172.	Nichols Institute Diagnostics, Inc.'s Reply to Scantibodies Laboratory, Inc. and Scantibodies Clinical Laboratory, Inc.'s Opposition to Motion for Leave to File Amended Complaint, filed February 23, 2004	
173.	Declaration of Julia A. Miller in Support of Nichols Institute Diagnostics, Inc.'s Reply to Scantibodies Laboratory, Inc. and Scantibodies Clinical Laboratory, Inc.'s Opposition to Motion for Leave to File Amended Complaint, filed February 23, 2004	
174.	Scantibodies' Reply to Nichols Institute Diagnostics, Inc.'s Opposition to Motion for Judgment on the Pleadings for Lack of Standing and for Attorneys' Fees, filed February 23, 2004	
175.	Order Granting Plaintiff's Motion for Leave to File a Supplemental Amended Complaint, filed March 8, 2004	
176.	Order Denying Defendant's Motion for Judgment on the Pleadings and Denying Defendant's Motion for Attorneys' Fees, filed March 8, 2004	
177.	Answer and Counterclaims of Defendants Scantibodies Clinical Laboratory, Inc. and Scantibodies Laboratory, Inc. to Nichols' Second Amended Complaint for Patent Infringement, filed April 6, 2004	
178.	Plaintiff/Counter-defendant Nichols Institute Diagnostics, Inc.'s Reply to Defendants' Counterclaim, filed April 26, 2004	
179.	Notice of Motion and Motion for Nichols Institute Diagnostics, Inc.'s Motion for Summary Judgment That the '790 Patent Claims are Valid and Infringed, filed February 28, 2005	
180.	Memorandum of Points and Authorities in Support of Nichols Institute Diagnostics, Inc.'s Motion for Summary Judgment that the '790 Patent Claims are Valid and Infringed, filed February 28, 2005	
181.	Declaration of John E. Peterson in Support of Nichols Institute Diagnostics, Inc.'s Motion for Summary Judgment that the '790 Patent Claims are Valid and Infringed, filed February 28, 2005	

Examiner Signature		Date Considered	
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			Filing Date	July 10, 2003	
			First Named Inventor	Thomas L. CANTOR	
			Art Unit	1641	
			Examiner Name	C. Cheu	
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182.	Declaration of Shelby J. Hall, Ph.D., in Support of Nichols Institute Diagnostics, Inc.'s Motion for Summary Judgment that the '790 Patent Claims are Valid and Infringed, filed February 28, 2005	
183.	Declaration of Joseph O. Falkinham III, Ph.D., in Support of Nichols Institute Diagnostics, Inc.'s Motion for Summary Judgment that the '790 Patent Claims are Valid and Infringed, filed February 28, 2005	
184.	Nichols Institute Diagnostics, Inc.'s Notice of and Ex Parte Application for Order to File Documents Under Seal with Motion for Summary Judgment, filed February 28, 2005	
185.	Declaration of April M. Alex in Support of Nichols' Ex Parte Application for Order to File Documents Under Seal with Motion for Summary Judgment, filed February 28, 2005	
186.	Notice of Decisions on Plaintiff's and Defendants' Cross Motions for Summary Judgment Regarding United States Patent No. 6,030,790 and Defendants' Motion to Stay the Trial and Defendants' Motion to Sequence Evidence of Liability and Damages at Trial, filed March 30, 2005	
187.	Scantibodies' Notice of Motion and Motion for Reconsideration of Order Denying Motion to Stay, or in the Alternative, Motion for Certification Under 28 U.S.C. § 1292(b), filed April 1, 2005	
188.	Memorandum of Points and Authorities in Support of Scantibodies' Motion for Reconsideration of Order Denying Motion to Stay, or in the Alternative, Motion for Certification Under 28 U.S.C. § 1292(b), filed April 1, 2005	
189.	Declaration of M. Andrew Woodmansee in Support of Scantibodies' Motion for Reconsideration of Order Denying Motion to Stay, or in the Alternative, Motion for Certification Under 28 U.S.C. § 1292(b), filed April 1, 2005	
190.	Expert Report of Michael R. Hamrell, Ph.D.	
191.	Defendants Scantibodies Clinical Laboratory, Inc., and Scantibodies Laboratory, Inc.'s Rebuttal Expert Witness Report By Steven Jones	
192.	Rebuttal Expert Report of Richard A. Lerner, M.D.	
193.	Initial Expert Report of Randolph Wall, Ph.D.	
194.	Rebuttal Expert Report of Randolph Wall, Ph.D.	
195.	Expert Report of Thomas G. Wiseman, Esq.	
196.	Supplemental Expert Report of Thomas G. Wiseman, Esq.	
197.	Rebuttal Expert Report of Thomas G. Wiseman, Esq.	
198.	Expert Report of J. Stuart Woodhead Ph.D., FRCPATH	
199.	Supplemental Report of J. Stuart Woodhead Ph.D., FRCPATH	
200.	Rebuttal Expert Report of Claude Amaud, M.D., FACE	
201.	Rebuttal Expert Report of Gerald Bjorge	
202.	Expert Report of Larry W. Evans Pursuant to Rule 26(A)(2)(B), Fed. R. Civ. P.	
203.	Expert Report of L.J. Deftos, MD, JD, LLM	
204.	Complaint for Direct Patent Infringement, 35 U.S.C. § 271(a); and Inducing Patent Infringement, 35 U.S.C. § 271(b), filed October 26, 2004 in Scantibodies Laboratory, Inc. v. Immutopics, Inc., Case No. CV04-8871 GPS (MANx) United States District Court for the Central District of California	
205.	Plaintiff Scantibodies Laboratory, Inc.'s Certificate of Interested Parties and Corporate Disclosure Statement (Fed. R. Civ. Proc. 7.1 and Central District Local Rule 7.1-1), filed October 26, 2004	
206.	Plaintiff Scantibodies Laboratory, Inc.'s Notice of Related Cases Pursuant to Central District Local Rule 83-1.3, filed October 26, 2004	

Examiner Signature		Date Considered	
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207.	Report on the Filing or Determination of an Action Regarding a Patent, Filed October 26, 2004	
208.	Defendants' Answer to Plaintiff's Complaint and Counterclaims, filed December 3, 2004	
209.	Certification and Notice of Interested Parties, filed December 3, 2004	
210.	Defendants' First Amended Answer to Plaintiff's Complaint and Counterclaims, filed December 21, 2004	
211.	Defendants' Second Amended Answer to Plaintiff's Complaint and Counterclaims, filed December 31, 2004	
212.	Plaintiff's Reply to Defendants' Counterclaims, filed January 27, 2005	
213.	Joint Report of Rule 26(f) Conference of Counsel, filed February 7, 2005	
214.	Civil Minutes - General, filed February 14, 2005	
215.	Initial Rule 26(A) Disclosure by Plaintiff Scantibodies Laboratory, Inc., filed February 28, 2005	
216.	Defendant's Initial Disclosures Pursuant to Fed. R. Civ. P. 26(a), filed February 28, 2005	
217.	Why Nichols is our PTH Vendor, submitted in Defendant's Supplemental Initial Disclosures	
218.	Scantibodies' First Set of Interrogatories to Defendants/Counterclaimants Immutopics, Inc. and Immutopics International, LLC (Nos. 1-14), filed March 7, 2005	
219.	Scantibodies' First Request for Production of Documents to Defendants/Counterclaimants Immutopics, Inc. and Immutopics International, LLC (Nos. 1-63), filed March 7, 2005	
220.	Defendants' First Set of Interrogatories to Plaintiff Pursuant to Fed. R. Civ. P. 33 (Nos. 1-4), filed March 9, 2005	
221.	Defendants' First Request for Admissions to Plaintiff Pursuant to Fed. R. Civ. P. 36 (Nos. 1-11), filed March 9, 2005	
222.	Defendants' First Requests for Production of Documents and Things Pursuant to Fed. R. Civ. P. 34 (Nos. 1-51), filed March 9, 2005	
223.	Stipulation and Protective Order Regarding Confidential Information, filed March 18, 2005	
224.	Order Denying Defendants' Motion for Summary Judgment of Invalidity of United States Patent No. 6,030,790 and Granting Summary Adjudication That the Patent is Not Anticipated or Rendered Obvious By Certain Prior Art References, filed May 3, 2005	
225.	Order Denying Defendants' Motion for Summary Judgment of Noninfringement and Denying Plaintiff's Motion for Summary Judgment of Infringement of United States Patent No. 6,030,790, filed May 3, 2005	

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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